United States Environmental Protection Agency
Region 1 – New England
5 Post Office Square, Suite 100
Boston, MA 02109-3912

FEB 27 2014

Certified Mail
Returned Receipt Required

Gary A. Hayden, President
Norampac New England, Inc.
720 Thompson Road
Thompson, CT 06277

Jarrod Bentley, Plant Engineer
Cascades Holding US, Inc.
Cascades Auburn Fiber
586 Lewiston Junction Road
Auburn, ME 04210

Re: Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. § 1318), Docket No. 14-308-08

Dear Mr. Hayden and Mr. Bentley:

Recently the U.S. Environmental Protection Agency, Region I (the "Region") inspected two of Cascades Inc.'s facilities located in New England. On October 19, 2012, the Region inspected the Cascades Auburn Fiber facility located at 586 Lewiston Junction Road in Auburn, Maine (hereafter referred to as "Cascades Auburn"). On February 26, 2013, the Region inspected the Norampac New England, Inc. facility at 720 Thompson Road in Thompson, Connecticut (hereafter referred to as "Norampac"). Both facilities were inspected for compliance with the Clean Water Act (the "Act"). Subsequent to these inspections, both facilities submitted to EPA a response to the information request letter (IR #1) sent on August 5, 2013. We are sending another information request seeking clarification of your responses.

Sections 308(a) and 311(m) of the Clean Water Act, 33 U.S.C. §§ 1318(a) and 1321(m), authorize the Environmental Protection Agency ("EPA") to require any owner or operator to provide information needed to determine whether there has been a violation of the Act. Accordingly, you are hereby required, pursuant to Sections 308(a) and 311(m) of the Act, 33 U.S.C. §§ 1318(a) and 1321(m), to respond to this Request for Information (the "Request) **within forty-five (45) calendar days of receipt of this letter.** Please read the instructions in Attachment No. 1 carefully before preparing your response and answer each question in Attachment No. 2 as clearly and completely as possible.

Your response to this Request must also be accompanied by a certificate that is signed and dated by the person who is authorized to respond to the Request. A Statement of Certification, Attachment No. 3, is attached to this letter.

Information submitted pursuant to this Request shall be sent by certified mail, and shall be addressed as follows:

[Both Facilities]

United States Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Attention: Alex Rosenberg (OES 04-4)

and

[Cascades Auburn facility specific]

Maine Department of Environmental Protection
312 Canco Road
Portland, ME 04103
Attention: Alison R. Moody

and

[Norampac facility specific]

Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106
Attention: Nisha Patel

Compliance with this Request is mandatory. Failure to respond fully and truthfully or to respond within the time frame specified above also constitutes a violation of the Clean Water Act subject to enforcement action, including the assessment of penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal prosecution under 18 U.S.C. § 1001.

The company may assert a business confidentiality claim with respect to part or all of the information submitted to EPA in the manner described at 40 C.F.R. Part 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to EPA, the information may be made available to the public by EPA without further notice.

If you have questions regarding this Request, please contact Alex Rosenberg of my staff at 617-918-1709, or have your attorney contact Edith Goldman at 617-918-1866.

Sincerely,

James Chow, Manager
Technical Enforcement Office
Office of Environmental Stewardship

Enclosures

Cc: Leon Moreneau, Director of Environmental Affairs, Cascades, Inc.
Alison Moody, Maine Department of Environmental Protection
Nisha Patel, Connecticut Department of Energy and Environmental Protection

Attachment No. 1

Information Request Instructions

1. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Request. Precede each answer with the text and the number of the question and the subpart to which the answer corresponds.

2. If any question cannot be answered in full, answer to the extent possible. If your responses are qualified in any manner, please explain.

3. Any documents referenced or relied upon by you to answer any of the questions in the Request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question and subpart to which they are responding. If the documentation that supports a response to one item duplicates the documentation that supports another item, submit one copy of the documentation and reference the documentation in subsequent responses.

4. If information or documents not known or not available to you as of the date of the submission of the response to this Request for Information should later become known, or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is inaccurate or incomplete, you must notify the EPA of this finding as soon as possible and provide a corrected response.

Attachment No. 2

Respond to the Following Questions

I. Provide a response to the following questions for Norampac.

a. EPA observed what facility representatives described as boiler blow-down being discharged out a pipe in the wall of the boiler room and directly to the ground and into the stormwater catchbasin (CB4) outside of the building during the February 26, 2013 inspection. Norampac's response II(a)(1)3 to Question II(a)(1) of EPA's information request letter (IR #1) states. "Boiler generates blow-down…Blow-down is pumped with an overhead line. Is it true?" Please clarify this response.

b. Between the date of inspection, February 26, 2013, and the reported date of March 25, 2013 when Norampac asserts that it replaced the float control on the deaerator valve, were there any days that boiler blow-down (condensate mixed with flash steam) did not flow onto the ground outside of boiler room? If so, provide the dates.

c. Prior to February 26, 2013, how frequently did Norampac personnel conduct inspections of discharges of boiler-blowdown outside?

d. The Norampac response to Question II(a)(3) of EPA's IR#1 states that the facility "typically send[s] untreated wastewater to Killingly." Appendix C of the System Operation Procedures describes how the chemical treatment process is begun by the addition of coagulant and pH adjustment for discharge into the Publicly Owned Treatment Works (POTW). The Filtering/Dewatering section of the Standard Operation Procedures also states that "…treated water will pass through and be collected in the filtrate tank where it can be pumped to the municipal sewer system." Please describe all waste water treatment processes prior to discharge to the POTW. Provide the date that the System Operation Procedures were drafted and any changes or modifications that have been made subsequent to January 1, 2008. Also, if actual practices have ever deviated from SOPs describe what the process change was, why it was conducted and during what period of time (dates) the change was implemented.

e. The SWPPP site plan (*sheet 1*) submitted by Norampac is dated 3/22/13. Appendix D of the information request response is Revision CBI-4 of *sheet 1*. Clarify the following points regarding the SWPPP figure:

1. Both figures show only one drain within the boiler room and indicate it is a 'sealed floor drain'. Explain why the second drain in the boiler room that was discovered during the February 26, 2013 inspection was not included on the diagram, and provide documentation to demonstrate that the drains are sealed. On what date were the floor drains sealed?

2. Describe what is meant by the label 'OBS' written on revision CBI-4 in reference

to the pipe that enters catch basin CB4 from the north. Describe what steps were taken to determine the source of flows in this pipe and in the pipe labeled 'sealed' that flows into catch basin CB5 from the northeast.

f. Norampac's response to Question II(b)(5) states that stormwater training logs are provided in Appendix I for both September 14, 2012 and September 10, 2013. EPA was unable to locate the training records from the referenced 2013 date. Please re-submit.

g. Norampac's response to Question II(b)(6)ii. states that, as a good housekeeping measure, sweeping at regular intervals is conducted. Provide documentation that these measures were implemented over the last five years including the frequency of implementation. If implemented by an outside contractor, provide receipts.

h. Section 4.1.3. of Norampac's SWPPP (Floor Drains) states that there are no floor drains that can discharge to the stormwater drainage system. Provide a description of what steps were taken subsequent to the February 25, 2013 release of oil through the floor drain in the Boiler Room to ensure that it is sealed. Provide the dates of each of these steps.

i. Describe what has been done to comply with the permit requirement for notification to the CTDEEP of stormwater sampling benchmark concentration exceedances. Describe all Best Management Practice (BMP) modifications or other actions done and the dates of these modifications to address benchmark exceedences for zinc. What plans does Norampac have for future steps to address exceedances?

j. Provide the dates of all past revisions of SPCC plans.

k. Provide comment, justification or an update to all SPCC plan deficiencies noted on the attached SPCC Plan Review Checklist (Attachment No.4) wherever a 'No' box has been checked. EPA recognizes that because the plan that was reviewed was submitted to EPA via electronic mail it may not be exactly equivalent to the working copy at the facility. If this is the case, for all areas of deficiency noted, make copies of the appropriate pages and supporting documents and include them in the response.

II. Provide a response to the following questions for Cascades.

a. The facility's SWPPP states that the management practice for SPF is to stockpile it on a paved area west of the mill building which is then inspected daily. The response to IR#1 Part IIb.6.i. states that the management practice is to maintain solids within the storage area, inside the building. The SWPPP's spill records (Appendix A worksheet #4) indicate that on 4/4/10 a spill of 500-1000 gallons of wastewater from the SPF bay was discharged and that new written procedures were drafted and the material is no longer exposed to stormwater.

1. Where is SPF currently stored?

2. Is there any potential for exposure to stormwater in its current storage location?

3. Prior to implementing the practice of storing inside, over what period was Short Paper Fiber (SPF) present outside and exposed to Stormwater?

b. Page 1 of Appendix E, Operation and Maintenance for Clarifier, of Cascades' response to EPA's IR#1 states that daily checks of the launder (ring) are conducted by the team leader.

1. When did daily checks of the launder commence?

2. Prior to the daily checks how often were inspections conducted of the clarifier?

3. Is there any documentation of these launder checks and or any repairs or maintenance needed for the clarifier?

4. What are the names of the team leaders who have conducted these checks over the past five years?

5. Did the team leaders ever observe a release of foam through the vent pipe as was observed the day of the inspection? If so, on what dates?

6. Provide the date on which the vent pipe, from which foam was able to flow to the ground, was realigned to discharge back into the clarifier.

c. Cascade's SWPPP states that the primary clarifier has a weir as its automatic overfill protection material management practice. Part V(D)(6) of Maine's MSGP states that all wastewater or process water tanks or storage containers must either have secondary containment able to hold 100% of its contents or be equipped with a level sensor and alarm to signal an overflow or a leak. Please describe either the containment or liquid level sensor and alarm devices used for spill prevention on the clarifier. If a level sensor and alarm are used, submit documentation to show when the alarm has sounded over the past five years and the circumstances that led to the alarm.

d. Provide lab sheets for all stormwater sampling conducted in 2013.

e. Quarterly stormwater site inspections identify used totes as being outside and exposed to stormwater on April 10, 2009, September 6, 2009, October 27, 2009, May 25, 2010, September 9, 2011, March 29, 2013, and November 13, 2012, and March 13, 2013. On the joint EPA MEDEP inspection in 2012 totes were observed that had been cut in half, were un-rinsed and were collecting rain water.

1. Over what period were totes stored outside and exposed to stormwater?

2. Over what period were the totes stored outside and open?

3. What are or were the contents of the totes stored outside and open on-site?

4. What are the current management practices associated with used totes? State how often the totes are inspected, submit documentation from the past five years of any water pumped from the totes, and explain where pumped water has been pumped to.

f. Submit stormwater benchmark monitoring results quarterly to EPA and MEDEP, until further notice, pursuant to Part VI. and Appendix Sector B. Part D. 1. of the Maine Pollutant Discharge Elimination System (MEPDES) Multi-Sector General Permit Stormwater Discharge Associated With Industrial Activity (MSGP).

g. A pretreatment inspection conducted on September 17, 2013 indicated that the facility has oil water separators associated with compressors. Provide a list of all oil water separators and oil-filled operational equipment at the facility that have a capacity greater than 55 gallons. Include in the list the type of containment used to protect against a release from each container or piece of equipment.

Attachment No. 3 - Statement of Certification for Cascades Auburn Fiber

(To be returned with Response to Information Request)

I declare under penalty of perjury that I am authorized to respond on behalf of Cascades Auburn Fiber (a.k.a. Cascades Holding US Inc.). I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

_____
(Print Name)

_____
(Title)

_____
(Date)

Attachment No. 3 - Statement of Certification for Norampac New England, Inc.

(To be returned with Response to Information Request)

I declare under penalty of perjury that I am authorized to respond on behalf of Norampac New England, Inc. I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

_____
(Print Name)

_____
(Title)

_____
(Date)

Attachment No. 4 U.S. Environmental Protection Agency SPCC Field Inspection and Plan Review Checklist

U.S. ENVIRONMENTAL PROTECTION AGENCY
SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST

ONSHORE FACILITIES (EXCLUDING OIL DRILLING, PRODUCTION AND WORKOVER)

Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and nationally consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a required tool to help federal inspectors (or their contractors) record observations for the site inspection and review of the SPCC Plan. While the checklist is meant to be comprehensive, the inspector should always refer to the SPCC rule in its entirety, the SPCC Regional Inspector Guidance Document, and other relevant guidance for evaluating compliance. This checklist must be completed in order for an inspection to count toward an agency measure (i.e., OEM inspection measures or GPRA). The completed checklist and supporting documentation (i.e. photo logs or additional notes) serve as the inspection report.

This checklist addresses requirements for onshore facilities including Tier II Qualified Facilities (excluding facilities involved in oil drilling, production and workover activities) that meet the eligibility criteria set forth in §112.3(g)(2).

Separate standalone checklists address requirements for:
Onshore oil drilling, production, and workover facilities including Tier II Qualified Facilities as defined in §112.3(g)(2);
Offshore drilling, production and workover facilities; and
Tier I Qualified Facilities (for facilities that meet the eligibility criteria defined in §112.3(g)(1))

Qualified facilities must meet the rule requirements in §112.6 and other applicable sections specified in §112.6, except for deviations that provide environmental equivalence and secondary containment impracticability determinations as allowed under §112.6.

The checklist is organized according to the SPCC rule. Each item in the checklist identifies the relevant section and paragraph in 40 CFR part 112 where that requirement is stated.

- Sections 112.1 through 112.5 specify the applicability of the rule and requirements for the preparation, implementation, and amendment of SPCC Plans. For these sections, the checklist includes data fields to be completed, as well as several questions with "yes," "no" or "NA" answers.
- Section 112.6 includes requirements for qualified facilities. These provisions are addressed in Attachment D.
- Section 112.7 includes general requirements that apply to all facilities (unless otherwise excluded).
- Sections 112.8 and 112.12 specify requirements for spill prevention, control, and countermeasures for onshore facilities (excluding production facilities).

The inspector needs to evaluate whether the requirement is addressed adequately or inadequately in the SPCC Plan and whether it is implemented adequately in the field (either by field observation or record review). For the SPCC Plan and implementation in the field, if a requirement is addressed adequately, mark the "Yes" box in the appropriate column. If a requirement is not addressed adequately, mark the "No" box. If a requirement does not apply to the particular facility or the question asked is not appropriate for the facility, mark as "NA". Discrepancies or descriptions of inspector interpretation of "No" vs. "NA" may be documented in the comments box subsequent to each section. If a provision of the rule applies only to the SPCC Plan, the "Field" column is shaded.

Space is provided throughout the checklist to record comments. Additional space is available as Attachment E at the end of the checklist. Comments should remain factual and support the evaluation of compliance.

Attachments

- Attachment A is for recording information about containers and other locations at the facility that require secondary containment.
- Attachment B is a checklist for documentation of the tests and inspections the facility operator is required to keep with the SPCC Plan.
- Attachment C is a checklist for oil spill contingency plans following 40 CFR 109. Unless a facility has submitted a Facility Response Plan (FRP) under 40 CFR 112.20, a contingency plan following 40 CFR 109 is required if a facility determines that secondary containment is impracticable as provided in 40 CFR 112.7(d). The same requirement for an oil spill contingency plan applies to the owner or operator of a facility with qualified oil-filled operational equipment that chooses to implement alternative requirements instead of general secondary containment requirements as provided in 40 CFR 112.7(k).
- Attachment D is a checklist for Tier II Qualified Facilities.
- Attachment E is for recording additional comments or notes.
- Attachment F is for recording information about photos.

FACILITY INFORMATION

FACILITY NAME: Normpac New England

LATITUDE:	LONGITUDE:	GPS DATUM:

Section/Township/Range:	FRS#/OIL DATABASE ID: R1-CT-00173	ICIS#: SIC2653

ADDRESS: 720 Thompson Rd

CITY: Thompson	STATE: CT	ZIP: 06277	COUNTY:

MAILING ADDRESS (IF DIFFERENT FROM FACILITY ADDRESS – IF NOT, PRINT "SAME"):
n/a

CITY:	STATE:	ZIP:	COUNTY:

TELEPHONE:	FACILITY CONTACT NAME/TITLE:

OWNER NAME:

OWNER ADDRESS: CONTACT: Leon Marinuea, VP Environment (Headquartered out of Quebec, Canada office)

CITY:	STATE:	ZIP:	COUNTY:

TELEPHONE:	FAX:	EMAIL:

FACILITY OPERATOR NAME (IF DIFFERENT FROM OWNER – IF NOT, PRINT "SAME"): Jason Corrigan - Mill Manager

OPERATOR ADDRESS: 1200 Forest Street

CITY: Eau Claire	STATE: WI	ZIP: 54703	COUNTY:

TELEPHONE:	OPERATOR CONTACT NAME/TITLE:

FACILITY TYPE: Boxboard fabrication	NAICS CODE:

HOURS PER DAY FACILITY ATTENDED: 17 hrs two shifts	TOTAL FACILITY CAPACITY: ~20400

TYPE(S) OF OIL STORED: diesel, lube

LOCATED IN INDIAN COUNTRY? ☐ YES ☑ NO RESERVATION NAME:

INSPECTION/PLAN REVIEW INFORMATION

PLAN REVIEW DATE: 1/14/14	REVIEWER NAME: Alex Rosenberg

INSPECTION DATE: 3/25/13	TIME: 9:00AM	ACTIVITY ID NO: SPCC-CT-2014-00011

LEAD INSPECTOR: Alex Rosenberg

OTHER INSPECTOR(S): None

INSPECTION ACKNOWLEDGMENT

I performed an SPCC inspection at the facility specified above.

INSPECTOR SIGNATURE:	DATE: 2/19/14
SUPERVISOR REVIEW/SIGNATURE:	DATE: 2/19/14

SPCC GENERAL APPLICABILITY—40 CFR 112.1

IS THE FACILITY REGULATED UNDER 40 CFR part 112?

The completely buried oil storage capacity is over 42,000 U.S. gallons, **OR** the aggregate aboveground oil storage capacity is over 1,320 U.S. gallons **AND** ☑ Yes ☐ No

The facility is a non-transportation-related facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location could reasonably be expected to discharge oil into or upon the navigable waters of the United States ☑ Yes ☐ No

AFFECTED WATERWAY(S): Brandy Brook

DISTANCE: 1000 ft

FLOW PATH TO WATERWAY:

through swales alongside road

Note: The following storage capacity is not considered in determining applicability of SPCC requirements:

- *Equipment subject to the authority of the U.S. Department of Transportation, U.S. Department of the Interior, or Minerals Management Service, as defined in Memoranda of Understanding dated November 24, 1971, and November 8, 1993; Tank trucks that return to an otherwise regulated facility that contain only residual amounts of oil (EPA Policy letter)*
- *Completely buried tanks subject to all the technical requirements of 40 CFR part 280 or a state program approved under 40 CFR part 281;*
- *Underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission (NRC) and subject to any NRC provision regarding design and quality criteria, including but not limited to CFR part 50;*
- *Any facility or part thereof used exclusively for wastewater treatment (production, recovery or recycling of oil is not considered wastewater treatment); (This does not include other oil containers located at a wastewater treatment facility, such as generator tanks or transformers)*
- *Containers smaller than 55 U.S. gallons;*
- *Permanently closed containers (as defined in §112.2);*
- *Motive power containers(as defined in §112.2);*
- *Hot-mix asphalt or any hot-mix asphalt containers;*
- *Heating oil containers used solely at a single-family residence;*
- *Pesticide application equipment and related mix containers;*
- *Any milk and milk product container and associated piping and appurtenances; and*
- *Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.*

Does the facility have an SPCC Plan? ☑ Yes ☐ No

FACILITY RESPONSE PLAN (FRP) APPLICABILITY—40 CFR 112.20(f)

A non-transportation related onshore facility is required to prepare and implement an FRP as outlined in 40 CFR 112.20 if:

☐ The facility transfers oil over water to or from vessels and has a total oil storage capacity greater than or equal to 42,000 U.S. gallons, **OR**

☐ The facility has a total oil storage capacity of at least 1 million U.S. gallons, **AND** at least one of the following is true:

- ☐ The facility does not have secondary containment sufficiently large to contain the capacity of the largest aboveground tank plus sufficient freeboard for precipitation.
- ☐ The facility is located at a distance such that a discharge could cause injury to fish and wildlife and sensitive environments.
- ☐ The facility is located such that a discharge would shut down a public drinking water intake.
- ☐ The facility has had a reportable discharge greater than or equal to 10,000 U.S. gallons in the past 5 years.

Facility has FRP: ☐ Yes ☐ No ☑ NA

FRP Number:

Facility has a completed and signed copy of Appendix C, Attachment C-II, "Certification of the Applicability of the Substantial Harm Criteria." ☐ Yes ☐ No

Comments:

SPCC TIER II QUALIFIED FACILITY APPLICABILITY—40 CFR 112.3(g)(2)	
The aggregate aboveground oil storage capacity is 10,000 U.S. gallons or less **AND**	☐ Yes ☑ No
In the three years prior to the SPCC Plan self-certification date, or since becoming subject to the rule (if the facility has been in operation for less than three years), the facility has **NOT** had:	
• A single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons, **OR**	☐ Yes ☑ No
• Two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve-month period[1]	☐ Yes ☑ No
IF ***YES*** TO ALL OF THE ABOVE, THEN THE FACILITY IS A TIER II QUALIFIED FACILITY[2] SEE ATTACHMENT D FOR TIER II QUALIFIED FACILITY CHECKLIST	

REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN—40 CFR 112.3				
Date facility began operations: 1964				
Date of initial SPCC Plan preparation: ?		Current Plan version (date/number): 3/25/13		
112.3(a)	**For facilities (except farms), including mobile or portable facilities:** • In operation on or prior to November 10, 2011: Plan prepared and/or amended and fully implemented by **November 10, 2011** • Beginning operations after November 10, 2011, Plan prepared and fully implemented before beginning operations			☑ Yes ☐ No ☐ NA ☐ Yes ☐ No ☑ NA
	For farms (as defined in §112.2): • In operation on or prior to August 16, 2002: Plan maintained, amended and implemented by **May 10, 2013** • Beginning operations after August 16, 2002 through May 10, 2013: Plan prepared and fully implemented by **May 10, 2013** • Beginning operations after May 10, 2013: Plan prepared and fully implemented before beginning operations			☐ Yes ☐ No ☑ NA ☐ Yes ☐ No ☑ NA ☐ Yes ☐ No ☑ NA
112.3(d)	Plan is certified by a registered Professional Engineer (PE) and includes statements that the PE attests: • PE is familiar with the requirements of 40 CFR part 112 • PE or agent has visited and examined the facility • Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112 • Procedures for required inspections and testing have been established • Plan is adequate for the facility			☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA ☑ Yes ☐ No ☐ NA
PE Name: Thomas Couture	License No.: CT 9567	State: CT	Date of certification: 3/25/13	
112.3(e)(1)	Plan is available onsite if attended at least 4 hours per day. If facility is unattended, Plan is available at the nearest field office. *(Please note nearest field office contact information in comments section below.)*			☑ Yes ☐ No ☐ NA
Comments:				

[1] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

[2] An owner/operator who self-certifies a Tier II SPCC Plan may include environmentally equivalent alternatives and/or secondary containment impracticability determinations when reviewed and certified by a PE.

AMENDMENT OF SPCC PLAN BY REGIONAL ADMINISTRATOR (RA)—40 CFR 112.4		
112.4(a),(c)	Has the facility discharged more than 1,000 U.S. gallons of oil in a single reportable discharge or more than 42 U.S. gallons in each of two reportable discharges in any 12-month period?[3]	☐ Yes ☑ No
If YES	• Was information submitted to the RA as required in §112.4(a)?[4]	☐ Yes ☐ No ☑ NA
	• Was information submitted to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located§112.4(c)	☐ Yes ☐ No ☑ NA
	• Date(s) and volume(s) of reportable discharges(s) under this section:	
	• Were the discharges reported to the NRC[5]?	☐ Yes ☐ No
112.4(d),(e)	Have changes required by the RA been implemented in the Plan and/or facility?	☐ Yes ☐ No ☑ NA
Comments:		

AMENDMENT OF SPCC PLAN BY THE OWNER OR OPERATOR—40 CFR 112.5		
112.5(a)	Has there been a change at the facility that materially affects the potential for a discharge described in §112.1(b)?	☑ Yes ☐ No
If YES	• Was the Plan amended within six months of the change?	☑ Yes ☐ No
	• Were amendments implemented within six months of any Plan amendment?	☐ Yes ☐ No
112.5(b)	Review and evaluation of the Plan completed at least once every 5 years?	☐ Yes ☐ No ☑ NA
	Following Plan review, was Plan amended within six months to include more effective prevention and control technology that has been field-proven to significantly reduce the likelihood of a discharge described in §112.1(b)?	☐ Yes ☐ No ☑ NA
	Amendments implemented within six months of any Plan amendment?	☐ Yes ☐ No ☑ NA
	Five year Plan review and evaluation documented?	☐ Yes ☑ No ☐ NA
112.5(c)	Professional Engineer certification of any technical Plan amendments in accordance with all applicable requirements of §112.3(d) *[Except for self-certified Plans]*	☐ Yes ☐ No ☑ NA

Name:	License No.:	State:	Date of certification:

Reason for amendment:

Comments:

112.5(a) Tank replacement and temporary pipe alignments were not recorded in the plan as amendments, or as the cause of the spill in 2013.

112.5(b) Five year Plan review section is blank.

[3] A reportable discharge is a discharge as described in §112.1(b)(see 40 CFR part 110). The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

[4] Triggering this threshold may disqualify the facility from meeting the Qualified Facility criteria if it occurred in the three years prior to self certification

[5] Inspector Note-Confirm any spills identified above were reported to NRC

GENERAL SPCC REQUIREMENTS—40 CFR 112.7		PLAN	FIELD
Management approval at a level of authority to commit the necessary resources to fully implement the Plan[6]		☐ Yes ☑ No	
Plan follows sequence of the rule or is an equivalent Plan meeting all applicable rule requirements and includes a cross-reference of provisions		☑ Yes ☐ No ☐ NA	
If Plan calls for facilities, procedures, methods, or equipment not yet fully operational, details of their installation and start-up are discussed *(Note: Relevant for inspection evaluation and testing baselines.)*		☐ Yes ☐ No ☑ NA	
112.7(a)(2)	The Plan includes deviations from the requirements of §§112.7(g), (h)(2) and (3), and (i) and applicable subparts B and C of the rule, except the secondary containment requirements in §§112.7(c) and (h)(1), 112.8(c)(2),112.8(c)(11), 112.12(c)(2), and 112.12(c)(11)	☐ Yes ☐ No ☑ NA	
If **YES**	• The Plan states reasons for nonconformance	☐ Yes ☐ No ☑ NA	
	• Alternative measures described in detail and provide equivalent environmental protection *(Note: Inspector should document if the environmental equivalence is implemented in the field, in accordance with the Plan's description)*	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☑ NA

Describe each deviation and reasons for nonconformance:

112.7 no management approval signature in plan.

[6] May be part of the Plan or demonstrated elsewhere.

		PLAN	FIELD
112.7(a)(3)	Plan describes physical layout of facility and includes a diagram[7] that identifies: • Location and contents of all regulated fixed oil storage containers • Storage areas where mobile or portable containers are located • Completely buried tanks otherwise exempt from the SPCC requirements (marked as "exempt") • Transfer stations • Connecting pipes, including intra-facility gathering lines that are otherwise exempt from the requirements of this part under §112.1(d)(11)	☑ Yes ☑ No	☐ Yes ☐ No
	Plan addresses each of the following:		
(i)	For each fixed container, type of oil and storage capacity (see Attachment A of this checklist). For mobile or portable containers, type of oil and storage capacity for each container or an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities	☑ Yes ☐ No	☐ Yes ☐ No
(ii)	Discharge prevention measures, including procedures for routine handling of products (loading, unloading, and facility transfers, etc.)	☑ Yes ☐ No	☐ Yes ☐ No
(iii)	Discharge or drainage controls, such as secondary containment around containers, and other structures, equipment, and procedures for the control of a discharge	☑ Yes ☐ No	☐ Yes ☐ No
(iv)	Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources)	☐ Yes ☑ No	☐ Yes ☐ No
(v)	Methods of disposal of recovered materials in accordance with applicable legal requirements	☑ Yes ☐ No	
(vi)	Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b)	☑ Yes ☐ No	
112.7(a)(4)	***Does not apply if the facility has submitted an FRP under §112.20:*** ☐ Yes ☑ No ☐ NA Plan includes information and procedures that enable a person reporting an oil discharge as described in §112.1(b) to relate information on the: • Exact address or location and phone number of the facility; • Date and time of the discharge; • Type of material discharged; • Estimates of the total quantity discharged; • Estimates of the quantity discharged as described in §112.1(b); • Source of the discharge; • Description of all affected media; • Cause of the discharge; • Damages or injuries caused by the discharge; • Actions being used to stop, remove, and mitigate the effects of the discharge; • Whether an evacuation may be needed; and • Names of individuals and/or organizations who have also been contacted.		
112.7(a)(5)	***Does not apply if the facility has submitted a FRP under §112.20:*** ☐ Yes ☑ No ☐ NA Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency		
112.7(b)	Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure	☑ Yes ☐ No ☐ NA	

Comments:

112.7(a)(3) Section 1.9 (pg 1-6) of the plan describes the closest down gradient water body to which stormwater runoff flows as an unnamed pond located 2500 ft to the NW. Contour lines and the facilities stormwater permit NOI indicate that runoff from the site would not flow towards that lake.

112.7(a)(4) These reporting specifications are listed in Secvtion 6.6 under post spill reporting procedures, and not all of them are listed under Section 6.3.2 which describes actions to be taken in the event of a spill. Appendix D, Oil Incident Report Form seems to again be designed for post-spill reporting and is not a guide for what is to be reported during spill.

[7] Note in comments any discrepancies between the facility diagram, the description of the physical layout of facility, and what is observed in the field

		PLAN	FIELD
112.7(c)	Appropriate containment and/or diversionary structures or equipment are provided to prevent a discharge as described in §112.1(b), **except as provided in §112.7(k) of this section for certain qualified operational equipment**. The entire containment system, including walls and floors, are capable of containing oil and are constructed to prevent escape of a discharge from the containment system before cleanup occurs. The method, design, and capacity for secondary containment address the typical failure mode and the most likely quantity of oil that would be discharged. See Attachment A of this checklist. **For onshore facilities**, one of the following or its equivalent: • Dikes, berms, or retaining walls sufficiently impervious to contain oil; • Curbing or drip pans; • Sumps and collection systems; • Culverting, gutters or other drainage systems; • Weirs, booms or other barriers; • Spill diversion pond; • Retention ponds; or • Sorbent materials.		
	Identify which of the following are present at the facility and if appropriate containment and/or diversionary structures or equipment are provided as described above:		
	☑ Bulk storage containers	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	☑ Mobile/portable containers	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	☑ Oil-filled operational equipment (as defined in 112.2)	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	☐ Other oil-filled equipment (i.e., manufacturing equipment)	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	☑ Piping and related appurtenances	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	☐ Mobile refuelers or non-transportation-related tank cars	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	☑ Transfer areas, equipment and activities	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	☐ Identify any other equipment or activities that are not listed above:	☐ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
112.7(d)	Secondary containment for one (or more) of the following provisions is determined to be impracticable: ☐ General secondary containment §112.7(c) ☐ Bulk storage containers §§112.8(c)(2)/112.12(c)(2) ☐ Loading/unloading rack §112.7(h)(1) ☐ Mobile/portable containers §§112.8(c)(11)/ 112.12(c)(11)	☐ Yes ☑ No	
If YES	• The impracticability of secondary containment is clearly demonstrated and described in the Plan	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	• For bulk storage containers,[8] periodic integrity testing of containers and integrity and leak testing of the associated valves and piping is conducted	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	(Does not apply if the facility has submitted a FRP under §112.20): • Contingency Plan following the provisions of 40 CFR part 109 is provided (see Attachment C of this checklist) **AND**	☐ Yes ☐ No ☑ NA	
	• Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA

Comments:

[8] These additional requirements apply only to bulk storage containers, when an impracticability determination has been made by the PE

		PLAN	FIELD
112.7(e)	Inspections and tests conducted in accordance with written procedures	☐Yes ☑No	☐Yes ☐No
	Record of inspections or tests signed by supervisor or inspector	☐Yes ☑No	☐Yes ☐No
	Kept with Plan for at least 3 years (see Attachment B of this checklist)[9]	☐Yes ☑No	☐Yes ☐No
112.7(f)	Personnel, training, and oil discharge prevention procedures		
(1)	Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan	☑Yes ☑No ☐NA	☐Yes ☐No ☐NA
(2)	Person designated as accountable for discharge prevention at the facility and reports to facility management	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
(3)	Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures	☑Yes ☑No ☐NA	☐Yes ☐No ☐NA
112.7(g)	Plan describes how to: • Secure and control access to the oil handling, processing and storage areas; • Secure master flow and drain valves; • Prevent unauthorized access to starter controls on oil pumps; • Secure out-of-service and loading/unloading connections of oil pipelines; and • Address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
112.7(h)	Tank car and tank truck loading/unloading rack[10] is present at the facility *Loading/unloading rack* means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices.	☐Yes ☑No	
If **YES** (1)	Does loading/unloading rack drainage flow to catchment basin or treatment facility designed to handle discharges or use a quick drainage system?	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	Containment system holds at least the maximum capacity of the largest single compartment of a tank car/truck loaded/unloaded at the facility	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(2)	An interlocked warning light or physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in the area adjacent to the **loading or unloading rack** to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(3)	Lower-most drains and all outlets on tank cars/trucks inspected prior to filling/departure, and, if necessary ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA

Comments:

112.7(e) undetermined, inspection records were not submitted with plan revision.
112.7(f) plan mentions that yearly training is recommended and that yearly briefings shall be conducted. No documentation included with plan to support.
112.7(f)(3) mentioned as required in plan but no documentation to attest to implementatio; therefore unknown.

[9] Records of inspections and tests kept under usual and customary business practices will suffice
[10] Note that a tank car/truck loading/unloading rack must be present for §112.7(h) to apply

		PLAN	FIELD
112.7(i)	Brittle fracture evaluation of field-constructed aboveground containers is conducted after tank repair, alteration, reconstruction, or change in service that might affect the risk of a discharge or after a discharge/failure due to brittle fracture or other catastrophe, and appropriate action taken as necessary (applies to only field-constructed aboveground containers)	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
112.7(j)	Discussion of conformance with applicable more stringent State rules, regulations, and guidelines and other effective discharge prevention and containment procedures listed in 40 CFR part 112	☑ Yes ☐ No ☐ NA	
112.7(k)	Qualified oil-filled operational equipment is present at the facility[11] ☑ Yes ☐ No *Oil-filled operational equipment* means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device. If **YES** Check which apply: Secondary Containment provided in accordance with 112.7(c) ☑ Alternative measure described below (confirm eligibility) ☐		
112.7(k)	Qualified Oil-Filled Operational Equipment • Has a single reportable discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons occurred within the three years prior to Plan certification date? ☐ Yes ☑ No ☐ NA • Have two reportable discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons occurred within any 12-month period within the three years prior to Plan certification date?[12] ☐ Yes ☑ No ☐ NA *If **YES** for either, secondary containment in accordance with §112.7(c) is required*		
	• Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	Does not apply if the facility has submitted a FRP under §112.20: • Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan **AND**	☐ Yes ☐ No ☑ NA	
	• Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is provided in Plan	☐ Yes ☐ No ☑ NA	

Comments:

[11] This provision does not apply to oil-filled manufacturing equipment (flow-through process)

[12] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

ONSHORE FACILITIES (EXCLUDING PRODUCTION) 40 CFR 112.8/112.12		PLAN	FIELD
112.8(b)/ 112.12(b) Facility Drainage			
Diked Areas (1)	Drainage from diked storage areas is: • Restrained by valves, except where facility systems are designed to control such discharge, **OR** • Manually activated pumps or ejectors are used and the condition of the accumulation is inspected prior to draining dike to ensure no oil will be discharged	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(2)	Diked storage area drain valves are manual, open-and-closed design (not flapper-type drain valves)	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	If drainage is released directly to a watercourse and not into an onsite wastewater treatment plant, retained storm water is inspected and discharged per §§112.8(c)(3)(ii), (iii), and (iv) or §§112.12(c)(3)(ii), (iii), and (iv).	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
Undiked Areas (3)	Drainage from undiked areas with a potential for discharge designed to flow into ponds, lagoons, or catchment basins to retain oil or return it to facility. Catchment basin located away from flood areas.[13]	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(4)	If facility drainage not engineered as in (b)(3) (i.e., drainage flows into ponds, lagoons, or catchment basins) then the facility is equipped with a diversion system to retain oil in the facility in the event of an uncontrolled discharge.[14]	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
(5)	Are facility drainage waters continuously treated in more than one treatment unit and pump transfer is needed?	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
If ***YES***	• Two "lift" pumps available and at least one permanently installed	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	• Facility drainage systems engineered to prevent a discharge as described in §112.1(b) in the case of equipment failure or human error	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA

Comments:

112.8(4) note: spill kits and booms for stormwater catch basin system

112.8(c)/112.12(c) Bulk Storage Containers ☐NA

Bulk storage container means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

If bulk storage containers are not present, mark this section Not Applicable (NA). If present, complete this section and Attachment A of this checklist.

(1)	Containers materials and construction are compatible with material stored and conditions of storage such as pressure and temperature	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
(2)	Except for mobile refuelers and other non-transportation-related tank trucks, construct all bulk storage tank installations with secondary containment to hold capacity of largest container and sufficient freeboard for precipitation	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	Diked areas sufficiently impervious to contain discharged oil **OR**	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	Alternatively, any discharge to a drainage trench system will be safely confined in a facility catchment basin or holding pond	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA

[13] Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

[14] These provisions apply only when a facility drainage system is used for containment; otherwise mark NA

		PLAN	FIELD
(3)	Is there drainage of uncontaminated rainwater from diked areas into a storm drain or open watercourse?	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
If **YES**	• Bypass valve normally sealed closed	☐Yes ☐No ☑NA	☐Yes ☐No ☐
	• Retained rainwater is inspected to ensure that its presence will not cause a discharge as described in §112.1(b)	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	• Bypass valve opened and resealed under responsible supervision	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	• Adequate records of drainage are kept; for example, records required under permits issued in accordance with 40 CFR §§122.41(j)(2) and (m)(3)	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(4)	For completely buried metallic tanks installed on or after January 10, 1974 (if not exempt from SPCC regulation because subject to all of the technical requirements of 40 CFR part 280 or 281):		
	• Provide corrosion protection with coatings or cathodic protection compatible with local soil conditions	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	• Regular leak testing conducted	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(5)	The buried section of partially buried or bunkered metallic tanks protected from corrosion with coatings or cathodic protection compatible with local soil conditions	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
(6)	• Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. Techniques include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other system of non-destructive testing	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	• Appropriate qualifications for personnel performing tests and inspections are identified in the Plan and have been assessed in accordance with industry standards	☑Yes ☑No ☐NA	☐Yes ☐No ☐NA
	• The frequency and type of testing and inspections are documented, are in accordance with industry standards and take into account the container size, configuration and design	☑Yes ☐No ☐NA	☐Yes ☐No ☐N
	• Comparison records of aboveground container integrity testing are maintained	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA
	• Container supports and foundations regularly inspected	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	• Outside of containers frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	• Records of all inspections and tests maintained[15]	☑Yes ☑No ☐NA	☐Yes ☐No ☐NA
Integrity Testing Standard identified in the Plan: 112.8(c)(6) Qualifications of personnel conducting monthly visual inspection (section 5.2) is not defined in Plan. Integrity testing section does include a definition of 'qualified personnel' for performing inspections. No records included with plan.			
112.12 (c)(6)(ii) *(Applies to AFVO Facilities only)*	Conduct formal visual inspection on a regular schedule for bulk storage containers that meet all of the following conditions: • Subject to 21 CFR part 110; • Elevated; • Constructed of austenitic stainless steel; • Have no external insulation; and • Shop-fabricated.	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.	☑Yes ☐No ☐NA	☐Yes ☐No ☐NA
	You must determine and document in the Plan the appropriate qualifications for personnel performing tests and inspections.[15]	☐Yes ☑No ☐NA	☐Yes ☐No ☐NA

[15] Records of inspections and tests kept under usual and customary business practices will suffice

		PLAN	FIELD
(7)	Leakage through defective internal heating coils controlled: • Steam returns and exhaust lines from internal heating coils that discharge into an open watercourse are monitored for contamination, **OR**	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
	• Steam returns and exhaust lines pass through a settling tank, skimmer, or other separation or retention system	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
(8)	Each container is equipped with at least one of the following for liquid level sensing: • High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station, or audible air vent in smaller facilities; • High liquid level pump cutoff devices set to stop flow at a predetermined container content level; • Direct audible or code signal communication between container gauger and pumping station; • Fast response system for determining liquid level (such as digital computers, telepulse, or direct vision gauges) and a person present to monitor gauges and overall filling of bulk containers; or • Regularly test liquid level sensing devices to ensure proper operation.	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
(9)	Effluent treatment facilities observed frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b)	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
(10)	Visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
(11)	Mobile or portable containers positioned to prevent a discharge as described in §112.1(b).	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	Mobile or portable containers (excluding mobile refuelers and other non-transportation-related tank trucks) have secondary containment with sufficient capacity to contain the largest single compartment or container and sufficient freeboard to contain precipitation	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
112.8(d)/112.12(d)Facility transfer operations, pumping, and facility process			
(1)	Buried piping installed or replaced on or after August 16, 2002 has protective wrapping or coating	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	Buried piping installed or replaced on or after August 16, 2002 is also cathodically protected or otherwise satisfies corrosion protection standards for piping in 40 CFR part 280 or 281	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	Buried piping exposed for any reason is inspected for deterioration; corrosion damage is examined; and corrective action is taken	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
(2)	Piping terminal connection at the transfer point is marked as to origin and capped or blank-flanged when not in service or in standby service for an extended time	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
(3)	Pipe supports are properly designed to minimize abrasion and corrosion and allow for expansion and contraction	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA
(4)	Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly to assess their general condition	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
	Integrity and leak testing conducted on buried piping at time of installation, modification, construction, relocation, or replacement	☑ Yes ☐ No ☐ NA	☐ Yes ☐ No ☐ NA
(5)	Vehicles warned so that no vehicle endangers aboveground piping and other oil transfer operations	☐ Yes ☐ No ☑ NA	☐ Yes ☐ No ☐ NA

Comments:

112.12(c)(6)ii see previous comment

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ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE

Documentation of Field Observations for Containers and Associated Requirements

Inspectors should use this table to document observations of containers as needed.

Containers and Piping

Check containers for leaks, specifically looking for: drip marks, discoloration of tanks, puddles containing spilled or leaked material, corrosion, cracks, and localized dead vegetation, and standards/specifications of construction.

Check aboveground container foundation for: cracks, discoloration, and puddles containing spilled or leaked material, settling, gaps between container and foundation, and damage caused by vegetation roots.

Check all piping for: droplets of stored material, discoloration, corrosion, bowing of pipe between supports, evidence of stored material seepage from valves or seals, evidence of leaks, and localized dead vegetation. For all aboveground piping, include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, bleeder and gauge valves, and other such items (Document in comments section of §112.8(d) or 112.12(d).)

Secondary Containment (Active and Passive)

Check secondary containment for: containment system (including walls and floor) ability to contain oil such that oil will not escape the containment system before cleanup occurs, proper sizing, cracks, discoloration, presence of spilled or leaked material (standing liquid), erosion, corrosion, penetrations in the containment system, and valve conditions.

Check dike or berm systems for: level of precipitation in dike/available capacity, operational status of drainage valves (closed), dike or berm impermeability, debris, erosion, impermeability of the earthen floor/walls of diked area, and location/status of pipes, inlets, drainage around and beneath containers, presence of oil discharges within diked areas.

Check drainage systems for: an accumulation of oil that may have resulted from any small discharge, including field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers. Ensure any accumulations of oil have been promptly removed.

Check retention and drainage ponds for: erosion, available capacity, presence of spilled or leaked material, debris, and stressed vegetation.

Check active measures (countermeasures) for: amount indicated in plan is available and appropriate; deployment procedures are realistic; material is located so that they are readily available; efficacy of discharge detection; availability of personnel and training, appropriateness of measures to prevent a discharge as described in §112.1(b).

Container ID/ General Condition[16] Aboveground or Buried Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections

[16] Identify each tank with either an A to indicate aboveground or B for completely buried

ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE (CONT.)

Documentation of Field Observations for Containers and Associated Requirements

Container ID/ General Condition[17] Aboveground or Buried Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections

[17] Identify each tank with either an A to indicate aboveground or B for completely buried

ATTACHMENT B: SPCC INSPECTION AND TESTING CHECKLIST

Required Documentation of Tests and Inspections

Records of inspections and tests required by 40 CFR part 112 signed by the appropriate supervisor or inspector must be kept by all facilities with the SPCC Plan for a period of three years. Records of inspections and tests conducted under usual and customary business practices will suffice. Documentation of the following inspections and tests should be kept with the SPCC Plan.

	Inspection or Test	Documentation		Not Applicable
		Present	Not Present	
112.7–General SPCC Requirements				
(d)	Integrity testing for bulk storage containers with no secondary containment system and for which an impracticability determination has been made	☐	☐	☐
(d)	Integrity and leak testing of valves and piping associated with bulk storage containers with no secondary containment system and for which an impracticability determination has been made	☐	☐	☐
(h)(3)	Inspection of lowermost drain and all outlets of tank car or tank truck prior to filling and departure from loading/unloading rack	☐	☐	☐
(i)	Evaluation of field-constructed aboveground containers for potential for brittle fracture or other catastrophic failure when the container undergoes a repair, alteration, reconstruction or change in service or has discharged oil or failed due to brittle fracture failure or other catastrophe	☐	☐	☐
k(2)(i)	Inspection or monitoring of qualified oil-filled operational equipment when the equipment meets the qualification criteria in §112.7(k)(1) and facility owner/operator chooses to implement the alternative requirements in §112.7(k)(2) that include an inspection or monitoring program to detect oil-filled operational equipment failure and discharges	☐	☐	☐
112.8/112.12–Onshore Facilities (excluding oil production facilities)				
(b)(1), (b)(2)	Inspection of storm water released from diked areas into facility drainage directly to a watercourse	☐	☐	☐
(c)(3)	Inspection of rainwater released directly from diked containment areas to a storm drain or open watercourse before release, open and release bypass valve under supervision, and records of drainage events	☐	☐	☐
(c)(4)	Regular leak testing of completely buried metallic storage tanks installed on or after January 10, 1974 and regulated under 40 CFR 112	☐	☐	☐
(c)(6)	Regular integrity testing of aboveground containers and integrity testing after material repairs, including comparison records	☐	☐	☐
(c)(6), (c)(10)	Regular visual inspections of the outsides of aboveground containers, supports and foundations	☐	☐	☐
(c)(6)	Frequent inspections of diked areas for accumulations of oil	☐	☐	☐
(c)(8)(v)	Regular testing of liquid level sensing devices to ensure proper operation	☐	☐	☐
(c)(9)	Frequent observations of effluent treatment facilities to detect possible system upsets that could cause a discharge as described in §112.1(b)	☐	☐	☐
(d)(1)	Inspection of buried piping for damage when piping is exposed and additional examination of corrosion damage and corrective action, if present	☐	☐	☐
(d)(4)	Regular inspections of aboveground valves, piping and appurtenances and assessments of the general condition of flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces	☐	☐	☐
(d)(4)	Integrity and leak testing of buried piping at time of installation, modification, construction, relocation or replacement	☐	☐	☐

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ATTACHMENT C: SPCC CONTINGENCY PLAN REVIEW CHECKLIST

☑ NA

40 CFR Part 109–Criteria for State, Local and Regional Oil Removal Contingency Plans

If SPCC Plan includes an impracticability determination for secondary containment in accordance with §112.7(d), the facility owner/operator is required to provide an oil spill contingency plan following 40 CFR part 109, unless he or she has submitted a FRP under §112.20. An oil spill contingency plan may also be developed, unless the facility owner/operator has submitted a FRP under §112.20 as one of the required alternatives to general secondary containment for qualified oil filled operational equipment in accordance with §112.7(k).

	109.5–Development and implementation criteria for State, local and regional oil removal contingency plans[18]	Yes	No
(a)	Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.	☐	☐
(b)	Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including:	☐	☐
(1)	The identification of critical water use areas to facilitate the reporting of and response to oil discharges.	☐	☐
(2)	A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered.	☐	☐
(3)	Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., National Contingency Plan (NCP)).	☐	☐
(4)	An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority.	☐	☐
(c)	Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including:	☐	☐
(1)	The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.	☐	☐
(2)	An estimate of the equipment, materials and supplies that would be required to remove the maximum oil discharge to be anticipated.	☐	☐
(3)	Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.	☐	☐
(d)	Provisions for well-defined and specific actions to be taken after discovery and notification of an oil discharge including:	☐	☐
(1)	Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.	☐	☐
(2)	Pre-designation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.	☐	☐
(3)	A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.	☐	☐
(4)	Provisions for varying degrees of response effort depending on the severity of the oil discharge.	☐	☐
(5)	Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.	☐	☐
(e)	Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.	☐	☐

[18] The contingency plan should be consistent with all applicable state and local plans, Area Contingency Plans, and the NCP.

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ATTACHMENT D: TIER II QUALIFIED FACILITY CHECKLIST ☑ NA

TIER II QUALIFIED FACILITY PLAN REQUIREMENTS —40 CFR 112.6(b)		
112.6(b)(1)	**Plan Certification:** Owner/operator certified in the Plan that:	☐ Yes ☐ No
(i)	He or she is familiar with the requirements of 40 CFR part 112	☐ Yes ☐ No ☐ NA
(ii)	He or she has visited and examined the facility[19]	☐ Yes ☐ No ☐ NA
(iii)	The Plan has been prepared in accordance with accepted and sound industry practices and standards and with the requirements of this part	☐ Yes ☐ No ☐ NA
(iv)	Procedures for required inspections and testing have been established	☐ Yes ☐ No ☐ NA
(v)	He or she will fully implement the Plan	☐ Yes ☐ No ☐ NA
(vi)	The facility meets the qualification criteria set forth under §112.3(g)(2)	☐ Yes ☐ No ☐ NA
(vii)	The Plan does not deviate from any requirements as allowed by §§112.7(a)(2) and 112.7(d), except as described under §112.6(b)(3)(i) or (ii)	☐ Yes ☐ No ☐ NA
(viii)	The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan.	☐ Yes ☐ No ☐ NA
112.6(b)(2)	**Technical Amendments:** The owner/operator self-certified the Plan's technical amendments for a change in facility design, construction, operation, or maintenance that affected potential for a §112.1(b) discharge	☐ Yes ☐ No ☐ NA
If YES	• Certification of technical amendments is in accordance with the self-certification provisions of §112.6(b)(1).	☐ Yes ☐ No ☐ NA
(i)	A PE certified a portion of the Plan (i.e., Plan is informally referred to as a hybrid Plan)	☐ Yes ☐ No ☐ NA
If YES	• The PE also certified technical amendments that affect the PE certified portion of the Plan as required under §112.6(b)(4)(ii)	☐ Yes ☐ No ☐ NA
(ii)	The aggregate aboveground oil storage capacity increased to more than 10,000 U.S. gallons as a result of the change	☐ Yes ☐ No ☐ NA
If YES	*The facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) because it exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity.*	
	The owner/operator prepared and implemented a Plan within 6 months following the change and had it certified by a PE under §112.3(d)	☐ Yes ☐ No ☐ NA
112.6(b)(3)	**Plan Deviations:** Does the Plan include environmentally equivalent alternative methods or impracticability determinations for secondary containment?	☐ Yes ☐ No ☐ NA
If YES	Identify the alternatives in the hybrid Plan:	
	• Environmental equivalent alternative method(s) allowed under §112.7(a)(2);	☐ Yes ☐ No ☐ NA
	• Impracticability determination under §112.7(d)	☐ Yes ☐ No ☐ NA
112.6(b)(4)	• For each environmentally equivalent measure, the Plan is accompanied by a written statement by the PE that describes: the reason for nonconformance, the alternative measure, and how it offers equivalent environmental protection in accordance with §112.7(a)(2);	☐ Yes ☐ No ☐ NA
	• For each secondary containment impracticability determination, the Plan explains the reason for the impracticability determination and provides the alternative measures to secondary containment required in §112.7(d)	☐ Yes ☐ No ☐ NA
	AND	
(i)	PE certifies in the Plan that:	
(A)	He/she is familiar with the requirements of 40 CFR Part 112	☐ Yes ☐ No ☐ NA
(B)	He/she or a representative agent has visited and examined the facility	☐ Yes ☐ No ☐ NA
(C)	The alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of 40 CFR Part 112.	☐ Yes ☐ No ☐ NA
Comments:		

[19] Note that only the person certifying the Plan can make the site visit

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ATTACHMENT E: ADDITIONAL COMMENTS

112.7(a)(3) iv. no agreement between the facility and an emergency spill contractor (Kropp Environmental see pg 66 of pdf) is provided in the plan [noted on pg 7 of 14 of this plan review checklist]

ATTACHMENT E: ADDITIONAL COMMENTS (CONT.)

ATTACHMENT F: PHOTO DOCUMENTATION NOTES

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description

ATTACHMENT F: PHOTO DOCUMENTATION NOTES (CONT.)

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description